

Message Text

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ACTION EUR-25

INFO OCT-01 IO-12 ADP-00 AID-20 CEA-02 CIAE-00 COME-00

EB-11 FRB-02 INR-10 NSAE-00 RSC-01 CIEP-02 STR-08

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FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC 5198

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

USMISSION GENEVA

USMISSION OECD PARIS

UNCLAS EC BRUSSELS 2641

E. O. 11652: N/ A

TAGS: EIND, EEC

SUBJECT: EC HARMONIZATION OF INDUSTRIAL STANDARDS UNITS OF
MEASURE

REF.: A. STATE 084903

B. EC BRUSSELS A-349, NOVEMBER 10, 1971

1. SUMMARY: THE FOLLOWING INFORMATION ON THE EC COUNCIL
DIRECTIVE ON UNITS OF MEASURE IS IN RESPONSE TO THE QUESTIONS
POSED IN REF A. THE DATES SET FORTH IN DIRECTIVE 71/354/ EEC
AS AMENDED BY THE ACT OF ACCESSION HAVE NOT CHANGED. THE DIREC-
TIVE HAS GONE INTO FORCE ALTHOUGH NOT ALL STATES HAVE YET SUB-
MITTED THEIR NOTIFICATIONS. IT DOES NOT BECOME BINDING UNTIL
1978. NO ACTION HAS YET BEEN TAKEN TO AUTHORIZE ANY

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BRITISH IMPERIAL SYSTEM (BIS)

UNITS FOR USE THROUGHOUT THE COMMUNITY. UNTIL THAT TIME THIRD COUNTRY IMPORTS INTO IRELAND AND THE UK MAY CONTINUE TO USE BIS UNITS, AND AFTER 1978 IMPORTS INTO THE COMMUNITY AS A WHOLE MAY BE DUAL LABELED. END SUMMARY.

2. THE EC COUNCIL DIRECTIVE ON UNITS OF MEASURE (71/354/EEC). WAS APPROVED OCTOBER 18, 1971, AND WAS FORMALLY NOTIFIED TO THE MEMBER STATES ON OCTOBER 21, 1971. BY THE TERMS OF ARTICLE 4 THE MEMBER STATES ARE OBLIGED TO TAKE THE NECESSARY STEPS TO ENABLE THE DIRECTIVE TO ENTER INTO FORCE WITHIN EIGHTEEN MONTHS OF THE DATE OF NOTIFICATION, TO WIT: APRIL 21, 1973. FRANCE, BELGIUM, LUXEMBOURG, THE NETHERLANDS AND THE UNITED KINGDOM HAVE ALREADY INFORMED THE COMMISSION OF THEIR COMPLIANCE. GERMANY IS LATE FOR TECHNICAL REASONS, AND ITALY IS ALWAYS LATE IN THESE MATTERS. HOWEVER, COMMISSION OFFICIALS HAVE SEEN THE PROPOSED LEGISLATION FOR BOTH COUNTRIES AND INFORM US THAT BOTH COMPLY ENTIRELY WITH THE DIRECTIVE. WE ARE UNCERTAIN AS TO THE NOTIFICATIONS OF IRELAND AND DENMARK. THE FAILURE OF GERMANY AND ITALY TO TAKE THE NECESSARY LEGISLATIVE STEPS DOES NOT, WE ARE TOLD, AFFECT THE DATE OF ENTRY INTO FORCE. THE TEXTS OF THE NOTIFICATIONS ARE IN THE COMMUNITY ARCHIVE. THEY ARE SIMPLE NOTIFICATIONS OF A FORMULA COMMON TO ALL NOTIFICATIONS CONCERNING COUNCIL DIRECTIVES REQUIRING CHANGES IN LEGISLATION AND CONTAIN NO RESERVATION OF ANY KIND.

3. ANNEX I TO THE DIRECTIVE CONTAINS THREE CHAPTERS. THE FIRST CHAPTER LISTS THOSE UNITS OF MEASURE WHICH ARE DEFINITELY AUTHORIZED. THE SECOND CHAPTER LISTS THOSE UNITS OF MEASURE THE AUTHORIZATION OF WHICH IS TO BE REVIEWED BY DECEMBER 31, 1977. THE THIRD CHAPTER LISTS THOSE UNITS WHICH ARE TO DISAPPEAR FROM USE AS SOON AS POSSIBLE, AND AT THE LATEST BY DECEMBER 31, 1977. THERE HAVE BEEN NO DEVELOPMENTS WHICH HAVE CHANGED THIS DECEMBER 1977 DEADLINE.

4. ARTICLE 29 TO THE ACT OF ACCESSION REFERS TO ANNEX I OF THAT ACT FOR ADAPTATIONS TO EXISTING COMMUNITY LEGISLATION. ITEM 26, ITEM X, OF THAT ANNEX ALTERS SUBJECT DIRECTIVE 71/354/EEC BY INTRODUCING A SECOND ANNEX TO THE DIRECTIVE WHICH LISTS ALL OF THE BRITISH IMPERIAL STANDARDS (BIS) AND DEFINES THEM IN TERMS
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OF THEIR METRIC EQUIVALENT.

5. THE LANGUAGE OF THE DIRECTIVE IS AMENDED TO STATE THAT THE BIS UNITS LISTED IN ANNEX II MAY NOT BE BROUGHT INTO COMPULSORY USE BY ANY MEMBER STATES WHERE THEY ARE NOT AUTHORIZED AT THE DATE WHEN THE DIRECTIVE ENTERS INTO FORCE WHICH WAS APRIL 21, 1973.

6. THE LANGUAGE OF THE DIRECTIVE WAS ALSO AMENDED TO PROVIDE THAT THE BIS UNITS LISTED IN THE NEW ANNEX II SHALL BE PLACED IN

INE OF THE THREE CATEGORIES OF ANNEX I BY AUGUST 31, 1976. IF NO
DECISION IS MADE BY THAT DATE THEY WILL AUTOMATICALLY DISAPPEAR
ON DECEMBER 31, 1979. AN EXTENSION OF THIS TIME LIMIT IS
PERMITTED. IT SHOULD, HOWEVER, BE NOTED THAT THE RULE OF UN-
ANIMITY WILL APPLY. ALL OF
THE MEMBER STATES MUST AGREE ON THE BIS UNITS WHICH ARE TO BE
RETAINED AND AUTHORIZED IN THEIR COUNTRIES. THIS FACT WILL
WORK AGAINST THE RETENTION OF MANY BIS UNITS. LIKEWISE, THEY ALL
MUST ALSO AGREE ON ANY EXTENSION OF THE AUTOMATIC EXPIRATION WHICH
WILL OTHERWISE OCCUR ON DECEMBER 31, 1979.

7. THE COMMISSION IS CURRENTLY WAITING FOR THE BRITISH TO MAKE A
FORMAL PROPOSAL CONCERNING WHICH BIS UNITS IT WISHES TO HAVE
RETAINED UNDER ANNEX I, CHAPTER I; WHICH IT WISHES TO REVIEW;
AND WHICH IT WISHES TO ABOLISH. THE RESPONSIBLE MEMBER OF THE UK
DELEGATION HERE INFORMS US THAT THE UK WILL PROBABLY NOT MAKE ITS
PROPOSAL BEFORE 1975. UNTIL THE UK PROPOSAL IS MADE THERE WILL
BE NEITHER A DISCUSSION NOR A DECISION.

8. IF IT IS ULTIMATELY DECIDED TO RETAIN UNDER ANNEX I, CHAPTER
1, SOME OF ALL OF THE BIS UNITS CONTAINED IN ANNEX II, THOSE
UNITS WILL BECOME VALID THROUGHOUT THE COMMUNITY. IMPORTS FROM
THIRD COUNTRIES, E. G. THE UNITED STATES, WHICH USED THE RETAINED
BIS UNITS WOULD BENEFIT FROM AUTHORIZATION.
IMPORTS USING BIS UNITS OF MEASURE WHICH ARE NOT RETAINED WOULD
NOT BENEFIT FROM SIMILAR AUTHORIZATION.

9. THE DIRECTIVE WILL BE FULLY IMPLEMENTED ON APRIL 21, 1978.
FROM THAT DATE ONLY THE METRIC UNITS LISTED IN ANNEX I, CHAPTER
1, WILL BE AUTHORIZED PLUS PROBABLY SOME BIS UNITS WHICH THE UK
AND IRELAND HAVE INDUCED THE OTHERS TO ACCEPT AS ADDITIONS TO
ANNEX I, CHAPTER 1. IT IS SIGNIFICANT TO NOTE THAT THE DIRECTIVE
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DOES NOT REQUIRE EXCLUSIVE LABELING IN THE AUTHORIZED STANDARDS.
DUAL BIS/ METRIC LABELING, WE ARE ASSURED, WILL BE ACCEPTABLE. OUR
UK SOURCE HERE SAYS THAT THE UK HAS COMMISSION AGREEMENT TO
REQUIRE
DUAL LABELING DURING THE TRANSITION PERIOD. AFTER THAT PERIOD
THE REQUIREMENT FOR UNAUTHORIZED LABELING WOULD LAPSE, BUT SUCH
LABELING WOULD THEN BE OPTIONAL.
GREENWALD

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